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BEFORE THE
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:)
)
Apple Canyon Utility Company)
) No. 10-0215
Petition for Issuance of)
Permanent and Temporary)
Certificates of Public)
Convenience and Necessity to)
Provide Water Service to a)
Parcel in Unincorporated)
Jo-Daviess County, Illinois,)
Pursuant to Section 8-406 of)
the Illinois Public Utilities)
Act; and for approval of a)
related contract.)

Chicago, Illinois
May 13, 2010

Met pursuant to notice at 11:00 a.m.

BEFORE:

Mr. Douglas E. Kimbrel, Administrative Law Judge

1 APPEARANCES:

2 MS. MEGAN C. McNEILL and
3 MS. JESSICA L. CARDONI
4 160 North LaSalle Street
5 Suite C-800
6 Chicago, Illinois 60601
7 (312) 793-3305

8 Appearing for Staff witnesses;

9 HOWARD & HOWARD ATTORNEYS PLLC, by
10 MR. W. MICHAEL SEIDEL
11 200 South Michigan Avenue
12 Suite 1100
13 Chicago, Illinois 60604
14 (312) 372-4000

15 Appearing for Apple Canyon.

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21 SULLIVAN REPORTING COMPANY, by
22 Julia C. White, CSR

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I N D E X

<u>Witnesses:</u>	<u>Direct</u>	<u>Cross</u>	<u>Re-direct</u>	<u>Re-cross</u>	<u>By Examiner</u>
None					

E X H I B I T S

<u>Number</u>	<u>For Identification</u>	<u>In Evidence</u>
None		

1 JUDGE KIMBREL: Pursuant to the authority of
2 the Illinois Commerce Commission, I now call Docket
3 No. 10-0215. It's Apple Canyon Utility Company.
4 This is a Petition For Issuance of Permanent and
5 Temporary Certificates of Public Convenience and
6 Necessity to Provide Water Service to a Parcel in
7 Unincorporated Jo-Daviess County, Illinois, Pursuant
8 to Section 8-406 of the Illinois Public Utilities
9 Act; and for approval of a related contract.

10 Will the parties please identify
11 themselves for the record.

12 MR. SEIDEL: Thank you. W. Michael Seidel for
13 the law firm of Howard & Howard Attorneys PLLC,
14 200 South Michigan Avenue, Suite 1100, Chicago,
15 Illinois 60604, appearing on behalf of Apple Canyon
16 Utility Company.

17 MS. McNEILL: Appearing on behalf of Staff
18 witnesses for the ICC, Megan McNeill and Jessica
19 Cardoni, 160 North LaSalle, Suite C-800, Chicago,
20 Illinois 60601.

21 JUDGE KIMBREL: Okay.

22 MS. McNEILL: And just to give the judge a

1 little update, the Staff filed its verified
2 statement, which was actually in support of the
3 temporary certificate, on May 11th on e-Docket, 2010;
4 and Staff and the Company have come to an agreement
5 on a schedule going forward in this docket. That
6 schedule will be as follows:

7 Staff will file direct testimony on
8 August 3rd, 2010. We will have a status hearing to
9 update the judge on the docket on August 12th, 2010,
10 at 11:00 a.m. The Company will file rebuttal
11 testimony on December 1st, 2010. Staff will file its
12 rebuttal testimony on October 5th, 2010. The Company
13 will file surrebuttal testimony on October 15th,
14 2010. An evidentiary hearing will be scheduled for
15 October 25th, 2010. And we have set November 16th,
16 2010, for simultaneous initial briefs and
17 November 30th, 2010, for simultaneous reply briefs.

18 JUDGE KIMBREL: Mr. Seidel, do you have
19 anything to add?

20 MR. SEIDEL: No, your Honor. That's the
21 schedule that we've discussed and agreed to.

22 JUDGE KIMBREL: Okay. And we were going to get

1 the draft order regarding the temporary certificate
2 hopefully on the 18th of this month?

3 MR. SEIDEL: That's correct.

4 Did you want me to file that by
5 e-Docket?

6 JUDGE KIMBREL: You can do that, but e-mail it
7 to me as well so I can --

8 MR. SEIDEL: In Word.

9 JUDGE KIMBREL: -- get it out.

10 MR. SEIDEL: In Word; right?

11 JUDGE KIMBREL: Right. That's right. That's
12 our running joke; right?

13 Okay. If there's nothing else to add,
14 this matter will be continued to August 12th at
15 11:00 a.m.

16 Thanks, guys.

17 MR. SEIDEL: Thank you.

18 MS. McNEILL: Thank you.

19 MS. CARDONI: Thank you.

20 (Whereupon, the above-entitled
21 matter was continued to
22 August 12, 2010, at 11:00 a.m.)